

Headquarters
United States Forces Korea
Unit #15237
APO AP 96205-5237

United States Forces Korea
Regulation 600-240

2 March 2007

Personnel-General

INTERNATIONAL MARRIAGES IN KOREA

***This is the first edition of United States Forces Korea Regulation 600-240. This Regulation supersedes USFK PAM 600-240, 25 June 2004. The regulation is effective immediately. Commanders may waive the requirements of this regulation for any Service member scheduled to be married on or before 16 March 2007. Full compliance with this regulation is required after 16 March 2007.**

For the Commanding General:

DAVID P. VALCOURT
Lieutenant General, USA
Chief of Staff

Official:



F.W. MORRIS
Chief of Publications and
Records Management

Summary. Insufficient regulation of international marriages involving U.S. Forces, Korea (USFK) personnel has resulted in numerous void marriages and others in which the "spouse" is ineligible for marriage and/or immigration to the United States, creating a logistical burden and negative publicity for USFK. The intent of this regulation is to:

- Preclude void marriages
- Reduce the number of military dependents ineligible for immigration

- Ensure that Service members desiring to enter into an international marriage are fully informed of and follow the regulatory procedures necessary to ensure that the marriage will be valid and that the intended spouse and other dependent(s) will be eligible to accompany the Service member upon permanent change of station (PCS).

Summary of Change. Not applicable, first edition of this regulation.

Applicability. This regulation applies to all United States (U.S.) military personnel assigned in the Republic of Korea (ROK). This regulation does not apply to marriages between U.S. citizens.

Supplementation. Further supplements to this regulation by subordinate commands are prohibited unless prior approval is obtained from Headquarters (HQ) USFK (FKJ1-12), Unit #15237, APO AP 96205-5237, email: usfkj1jmod@korea.army.mil.

Forms. USFK forms are available at http://www-hr.korea.army.mil/Programs_Policy/Publication_Records_Forms.asp.

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to governing service regulations.

Suggested Improvements. The proponent of this regulation is HQ USFK, (FKJ1-12). Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to HQ USFK (FKJ1-12), Unit #15237, APO AP 96205-5237, email: usfkj1jmod@korea.army.mil.

Distribution. Electronic Media Only (EMO).

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Glossary

1. PURPOSE. To establish policy and procedures for marriage of U.S. Service members in the ROK. The provisions of this regulation are intended to--

a. Ensure that Service members have the necessary information to make an informed decision before entering into an international marriage.

b. Ensure that Service members and intended spouses comply with both U.S. and ROK laws.

c. Ensure that Service members and intended spouses are aware of applicable U.S. immigration laws.

d. Assist Service members in preparing a non-U.S. citizen spouse's petition for a U.S. visa.

e. Ensure appropriate chain of command leadership is engaged with and oversees international marriages.

2. REFERENCES.

a. Required publications.

(1) Commander Naval Forces, Korea Instruction 1752.1A, Marriage Within the U.S. Naval Forces, Korea Area, 22 July 2004.

(2) Marine Corps Order 1752.1C, Marriage in Overseas Commands, 1 June 1978.

(3) Air Force Instruction 36-2609, Marriage in Overseas Commands, 11 August 1998.

b. Related publications:

(1) United States Embassy, Korea website on International Marriage requirements, http://seoul.usembassy.gov/getting_married.html.

(2) United States Embassy, Korea website on obtaining a visa to the United States, http://seoul.usembassy.gov/important_notices2.html.

(3) Immigration Marriage Fraud Amendments of 1986, Public Law 99-639, 10 Nov 86.

3. COMMANDER'S INTENT.

a. While all Service members stationed in the ROK have the same right to marry as other U.S. citizens, compelling military interests require that Service members, and the chain of command, follow the procedures set forth in this

regulation prior to a marriage involving an alien (an alien is the term used by Immigration and Naturalization Service; this regulation will use the term non-U.S. citizens instead). These interests include:

(1) Ensuring that before Service members marry a non-U.S. citizen, they are fully informed about obstacles to a valid or lasting marriage that may exist, such as an intended spouse who is currently married to someone else or who is unlikely to qualify for entry into USFK installations and/or the U.S. Marriages entered into in the absence of this information may result in spouses and children who are left behind in Korea when the Service member leaves, creating undue hardship.

(2) Ensuring that there is sufficient time prior to a marriage for the chain of command to conduct appropriate background inquiries to obtain information on prospective spouses needed to meet force protection and installation access control requirements.

b. This regulation is punitive. Service members who violate it by failing to comply with any of its notification, counseling, or verification procedures prior to marrying a non-U.S. citizen, or otherwise, may be subject to punishment under the Uniform Code of Military Justice (UCMJ) and/or other disciplinary or adverse action.

4. RESPONSIBILITIES.

a. The Assistant Chief of Staff, J1, establishes policy and procedures for U.S. Service member marriages to non-U.S. citizens in the ROK.

b. The commanders listed below have verification authority for acknowledging Service member compliance with USFK Reg 600-240 --

(1) Commander, 8th U.S. Army (for all Army personnel).

(2) Commander, 7th Air Force (7th AF) (for all Air Force personnel).

(3) Commander, U.S. Naval Forces Korea (for all Navy personnel).

(4) Commander, U.S. Marine Corps Forces, Korea (for all U.S. Marine Corps personnel).

(5) Commander, Special Operations Command Korea (for all SOF personnel)

(6) Verification authority may be delegated in writing to the brigade, area, or wing, or appropriate 0-6 level commander. Delegation to lower levels must be approved in writing by the Commander, USFK, ATTN: FKJ1-12, Unit #15237, APO AP 96205-5237, email: usfkj1jmod@korea.army.mil.

c. Verification authorities shall--

(1) Verify that proper procedures were followed by the Service member in accordance with this regulation prior to the marriage.

(2) Ensure the supporting legal office performs a final legal sufficiency review as outlined in paragraph 6 of this Regulation.

(3) Provide a quarterly report, through the chain of command, to the Commander, USFK, ATTN: FKJ1-12, Unit #15237, APO AP 96205-5237, email: usfkj1jmod@korea.army.mil, of the number of applications received and the number of applications verified as complete.

d. Service members (applicants) shall--

(1) Inform the battalion / squadron or equivalent level commander in his/her chain of command of their intent to marry.

(2) Provide evidence of their current marital status and that of the intended spouse.

(3) Provide evidence of the intended spouse's eligibility to immigrate to the U.S. This includes a background check and medical examination that meets the requirements of U.S. immigration laws (see appendix F).

(4) Receive premarital advice and counsel from a military chaplain. This advice and counsel shall not be religious in nature unless requested by the Service member.

(5) Receive counsel from a legal officer concerning U.S. immigration and naturalization law and the Service member and intended spouse's legal eligibility to marry.

(6) Obtain a pre-marital medical examination in accordance with (IAW) Korea marital law.

e. The battalion / squadron or equivalent level commander in the Service member's chain of command shall--

(1) Counsel the Service member and intended spouse on the financial and moral support obligations of international marriage and on immigration fraud. This two-part counseling is explained in subparagraphs 6b, c, and d. Appendix I, Guide to Pre-Marital Counseling, provides additional information needed to conduct these mandatory sessions.

(2) Verify the Service member's financial stability and ability to afford the cost of the intended spouse's travel to the United States.

(3) Assist the Service member in processing his/her application.

(4) Ensure the Service member receives pre-marital advice and counsel from a military chaplain. Military chaplains are specially trained in marital counseling and cross cultural sensitivity. This advice and counsel shall not be religious in nature, unless requested by the Service member.

(5) Verify the Service member's marital status by reviewing his or her military personnel record and finance record. If the records reveal that a previous marriage existed, ensure that the marriage has been dissolved and that the records are updated.

(6) Ensure the Service member is counseled by a legal officer.

(7) Ensure the Service member is counseled on the possible effect marriage to a non-U.S. citizen would have on the following:

(a) Security clearance - marriage to the intended non-U.S. citizen spouse may result in reduction or loss of clearance.

(b) Eligibility to continue a career in the intelligence field.

(c) Career goals if reclassified to another series.

(d) Access to Sensitive Compartmented Information (SCI). Service members with such access should be thoroughly briefed on the need for requesting waivers to standards for maintaining access. The Service member must allow at least six months for the National Agency Check equivalent on the intended spouse before the planned marriage date. Additional information may be obtained from local special security offices.

(8) Counsel the Service member on the importance of a medical examination for the intended spouse. This examination is to detect physical conditions that may bar the intended spouse from entry into the U.S

(9) Ensure Service member receives a pre-marital medical examination.

(10) Complete and forward to HQ, USFK (FKJ1-11), through the chain of command, the completed USFK Form 163, verifying that all USFK Regulation 600-240 requirements have been accomplished.

f. Chaplains shall--

(1) Provide general pre-marital counseling. This counseling shall not be religious in nature unless requested by the Service member.

(2) Provide cross-cultural marriage counseling. Couples should know that differences in culture will be present in their relationship, and they should recognize the differences and show respect and understanding for each other's heritage. Strongly encourage the Service member and intended spouse to attend cross cultural lectures if available at their location.

g. Legal officers shall--

(1) Brief the Service member that their marital legal briefing is not a confidential attorney-client communication, and that if the Service member desires legal assistance, an appointment with a separate legal assistance attorney, consistent with Service legal assistance regulations, will be arranged.

(2) Brief the Service member and intended spouse on the Immigration and Nationality Act (Title 8 USC § 1108 et seq) and on the status of the intended spouse under the immigration and naturalization laws of the U.S. The legal officer will complete USFK Form 41, Immigration Counseling Certificate (Appendix B). Service components may use their own forms. In addition to procedural issues, the briefing will include:

(a) That under 8 USC § 1328, the importation into the United States of a non-U.S. citizen for an immoral purpose is a crime punishable by a fine and imprisonment for not more than ten years; and

(b) That under 8 USC § 1227(a)(1)(G), a marriage entered into less than two years prior to admission of a non-U.S. citizen into the United States which is judicially annulled or terminated within two years after admission into the United States is presumed to be a fraudulent marriage.

(3) Brief the Service member or intended spouse on legal eligibility to marry when either a divorce or annulment of a prior marriage by either party is involved.

(4) Brief the Service member and prepare a summary of opinion for attachment to the application if the validity or finality of the divorce or annulment decree is doubtful.

(5) Brief the Service member on the laws concerning the legal status of the intended spouse and family members and the requirements for U.S. citizenship.

(6) Brief the Service member on any circumstances in which waiver of residency requirements for naturalization may be authorized for the intended spouse and other family members.

(7) Brief the Service member on the possible punishments for violation of Article 92 of the UCMJ as it pertains to compliance with the requirements set forth in this Regulation.

5. POLICY.

a. Military personnel stationed in Korea have the same right to marry as any other U.S. citizen. Command verification of procedural marriage requirements will be granted in all instances where the provisions of this regulation have been met if--

(1) There is no evidence that the Service member and intended spouse are currently married.

(2) There are no indications that the intended spouse would be barred entry to the U.S. through inability to meet required physical, mental, or character standards.

(3) The Service member has shown financial ability, not limited to any particular form of financial security, to prevent the intended non-U.S. citizen spouse from becoming a public charge.

(4) The marriage is not solely for securing a visa for the intended spouse with no intention of living together as husband and wife.

b. Applications will be processed through command channels to the verification authority. Once final action is taken, the application will be returned through channels to the Service member.

6. PRE-MARITAL PROCEDURES. The Service member will initiate and complete the application process as follows:

a. Notify the Service member's chain of command of intent to marry in ROK.

b. Schedule the first counseling interview with the battalion / squadron or equivalent level commander in the Service member's chain of command. Both the Service member and the intended spouse must be present. Appendix I, Guide to Pre-Marital Counseling is provided as a tool to assist the commander in preparing for the interview. The commander will inform the Service member what constitutes visa fraud and the penalties for marriage with a foreign national solely to circumvent U.S. immigration law. The Service member will be allowed a

minimum of 48 hours to reflect on the subjects discussed. The waiting period will not be waived.

c. Schedule a second counseling interview with the battalion / squadron or equivalent level commander. The intended spouse will not attend this session. During this interview, the commander will advise the Service member of the possibility of involuntary extension in Korea to fulfill the administrative requirements of this regulation. The battalion / squadron or equivalent level commander will counsel the Service member alone and obtain his/her signature on the USFK Form 166, Affidavit of Acknowledgment (see Appendix E). USFK Service Components may use their own forms. The affidavit must be sworn to before an officer authorized to administer oaths (such as an adjutant, legal officer, or the commander).

d. Prior to marrying a non-U.S. citizen, Service members are required to notify the local Special Security Officer and their security manager. For those having access to Sensitive Compartmented Information (SCI), a National Agency Check (NAC) equivalent on the intended non-U.S. citizen spouse before the anticipated marriage date may be required. The applicant should allow at least 6 months to start, process and conduct the NAC equivalent. The NAC equivalent serves as the background investigation.

e. Schedule pre-marital counseling IAW paragraph 4f.

f. Schedule legal pre-marital counseling IAW paragraph 4g.

g. Schedule and obtain a medical examination IAW the instructions in Appendix F.

h. The Service member will submit the following documents (as applicable) to his/her commander (USFK Service Components may use their own forms):

(1) USFK Form 163, Pre-Marital Certification Application. This form documents the pre-marriage process each applicant must follow (see Appendix A).

(2) USFK Form 41, Immigration Counseling Certificate (signed by a legal officer) (see Appendix B).

(3) Proof of citizenship for both the Service member and the intended spouse, for example; certification of citizenship, valid passport, or birth certificate.

(4) The birth certificate of the intended spouse (U.S. or third country nationals) and that of any additional dependents to be acquired by the marriage, for example; children of an intended spouse (see Appendix C).

(5) Parental consent of the parents of a party (either the Service member or the intended spouse) if he or she is under 20 years of age, the legal age to marry in Korea without such consent (see Appendix D).

(6) Evidence of termination of any previous marriage by either party. Divorce documents must bear the original seal of the court or other agency granting the divorce.

(7) USFK Form 166, Affidavit of Acknowledgment regarding visa fraud penalties (see Appendix E).

(8) A report of medical examination of the Service member signed by a U.S. Forces Medical Officer indicating that he/she completed a pre-marital medical examination (see Appendix F).

(9) An endorsement by a U.S. Forces Medical Officer indicating that the intended spouse has completed the appropriate health assessment according to U.S. Public Health guidelines, from a designated medical facility sanctioned by the Embassy of the United States, Seoul, South Korea.

k. The battalion / squadron or equivalent level commander conducts a final review to ensure pre-marital procedures as set forth in this regulation have been satisfied and signs Section V of the application, then forwards it through command channels to the verification authority.

l. The verification authority reviews the application for completeness and signs Section VI of USFK Form 163 acknowledging the Service member has successfully completed USFK Reg 600-240 procedures. USFK Form 163 is returned to the Service member. Verification is automatic when all requirements of this regulation have been met.

7. MARRIAGE IN THE ROK.

a. The U.S. Embassy in Seoul has a number of resources related to marrying in Korea. They can found at: http://seoul.usembassy.gov/getting_married.html .

b. After the pre-marital certification application is completed and signed by the verification authority, the Service member and intended spouse will proceed to:

(1) The supporting legal assistance office for witnessing of the USFK Form 164, Report and Certificate of Marriage (three copies), and notarization of the USFK Form 165, Affidavit of Eligibility for Marriage (five copies). These forms can be found online at the USFK Home Page under Publications / Forms.

(2) The local Ward Office to register the marriage and obtain certificate. Take the notarized copy of the Affidavit of Eligibility for Marriage along with three copies of the completed Report and Certificate of Marriage to your local ward office for approval and signature by a Korean government official. The ward office will keep one copy of the Report and Certificate of Marriage as a permanent record.

(3) The U.S. Embassy in Seoul for the notarization of the USFK Form 164. For Embassy hours, call 721-4603/4604 or go online to http://seoul.usembassy.gov/map_to_the_u.s._embassy.html.

(4) The third country embassy, if the Service member or intended spouse is a citizen of a third country, for notarization of USFK Form 165, for witnessing the USFK Form 164, and for any additional third country requirements.

c. Although a civil marriage in the ROK is referred to as a ceremony, it is primarily a routine clerical procedure involving the recording of the marriage on the family register and (for non Koreans) the signing and witnessing of a marriage certificate at the appropriate Korean Government offices and at the American Embassy.

d. A Service member who desires a religious ceremony, in addition to the required civil one, may contact a military chaplain or civilian clergy person of his or her faith.

8. IMMIGRATION PROCEDURES. After marriage, if the intent is for the spouse to become a legal permanent resident of the U.S., the Service member should immediately begin filing for an Immigration Visa (IV). The Service member will keep his/her battalion / squadron or equivalent level commander informed of the date immigrant petition is filed, date petition is approved, date IV is filed, and date IV is approved. Two different U.S. government agencies are involved in this process. For specific instructions on how to apply for IV, visit U.S. Embassy Korea or website http://seoul.usembassy.gov/spouse_of_american.html for the "Guide to Immigration for Spouses of U.S. Citizens." The Service member should visit the local legal assistance office to obtain petition forms and further assistance.

a. The U.S. Department of Homeland Security (DHS), Citizenship and Immigration Services (CIS) adjudicate an immigrant petition (I-130) filed by the U.S. citizen spouse (petitioner) for the benefit of the foreign citizen spouse (beneficiary). CIS determines if the identities and relationships of the parties involved fall within U.S. immigration law. Once approved, an I-130 remains valid as long as the relationship exists and until the beneficiary qualifies for an IV. The I-130 is the only basis on which the beneficiary can make an IV application.

b. The U.S. State Department, Consular Affairs, Immigrant Visa unit (CONS-IV) adjudicates the beneficiary's IV application, based on the approved I-130. CONS-IV determines whether the non-U.S. citizen spouse, like any other IV applicant and regardless of the Service member's relationship and status as an U.S. citizen or USFK member, is eligible for a visa.

APPENDIX A

PRE-MARITAL CERTIFICATION APPLICATION (USFK Form 163) <small>For use of this form, see USFK Reg 600-240; the proponent agency is USFK J1</small>			
DATA REQUIRED BY THE PRIVACY ACT OF 1974			
AUTHORITY	: Title 10, U.S.C. 3013, 5013, 8013		
PRINCIPAL PURPOSE	: To ensure that the service member has the necessary information to make an informed decision before entering into an international marriage and comply with U.S. and host nation law.		
ROUTINE USES	: Information will be used for ensuring the service member has all the information necessary to make an informed decision and is complying with U.S and host nation law.		
DISCLOSURE	: Disclosure of information is voluntary; failure to give this information may result in delay in satisfying the requirements of USFK REG 600-240 prior to marriage.		
INSTRUCTIONS			
1. The following supporting documents, as applicable, must be obtained by the service member and submitted with the application: a. Notarized statement of consent of the parent or legal guardian responsible for the custody of an intended spouse who is below the legal age to marry without such consent in the nation or locality where the marriage is to take place. b. Notarized statement of consent of the parent or legal guardian for the custody of the applicant if under legal age. c. Final divorce decree, annulment or other satisfactory documentary evidence of the termination of any past marriage by divorce, annulment, or death. Copy submitted must be certified or true copy issued by the proper		governmental agency or official having custody of such records. d. Birth certificates of the service member and intended spouse and their dependents. Copies submitted must be certified or true copies issued by the proper governmental agency or official having custody of such records. e. Such other documents as may be required by the commander in order to verify compliance with USFK REG 600-240. 2. When there is not enough space under any item to enter the needed information, reference Section III, "Remarks" and continue information there. Section III, "Remarks" will contain a cross reference to the item being continued. More sheets may be added as needed and should be properly named.	
SECTION I - PERSONAL DATA OF APPLICANT			
1. APPLICANT (Last name, first name, middle name)		2. SOCIAL SECURITY NUMBER	
3. GRADE	4. ROTATION DATE	5. ETS	
6. COMPLETE MILITARY ADDRESS (Include ZIP code)		7. LEGAL RESIDENCE (Number, Street, City, State, ZIP code, Country)	
8. PLACE OF BIRTH (City, State, Country)		9. DATE OF BIRTH (YYYYMMDD)	
10. CITIZENSHIP		11. NUMBER OF DEPENDENTS	
12. PLACE WHERE MARRIAGE CEREMONIES WILL TAKE PLACE (City, Country)		13. APPROXIMATE DATE MARRIAGE WILL TAKE PLACE	
14. PAST MARRIAGES			
FORMER SPOUSE NAME	DATE TERMINATED	REASON	
15. DEPENDENTS OF APPLICANT			
NAME	DATE OF BIRTH	RELATIONSHIP	ADDRESS (include ZIP Code)

(Complete item 17 if applicant is an E-4 or below with 2 years or less of service)					
16. I have enough funds and/or negotiable assets to pay, if necessary, for transportation to the United States, lodging, food, and other needs for my intended spouse and any other family members. I understand that this need must be met to make sure that my intended spouse and other family members will not become a public charge of the United States Government.					
SIGNATURE OF APPLICANT		ORGANIZATION		DATE (YYYYMMDD)	
SECTION II - PERSONAL DATA OF INTENDED SPOUSE					
17. INTENDED SPOUSE (Last name, first name, middle name, Maiden name)					
18. PRESENT ADDRESS (include ZIP Code)			19. LEGAL ADDRESS (Permanent address and ZIP Code)		
20. DATE OF BIRTH		21. PLACE OF BIRTH		22. CITIZENSHIP	
23. PAST MARRIAGES OF INTENDED SPOUSE					
FORMER SPOUSE NAME		DATE TERMINATED		REASON	
24. DEPENDENTS OF INTENDED SPOUSE					
NAME	DATE OF BIRTH	PLACE OF BIRTH	RELATIONSHIP	ADDRESS (Include ZIP Code)	
(Complete items 25 thru 42 if intended spouse has not been lawfully admitted in the United States for permanent residence)					
25. NAME as it appears in passport or official documents, such as birth certificate or government-issued ID card					
26. NAME AND ADDRESS OF PRESENT EMPLOYER			27. PASSPORT NUMBER AND PLACE OF ISSUE		
			28. ID NUMBER AND PLACE OF ISSUE (if applicable)		
29. DATES AND PLACES OF RESIDENCE (Since 16 years of age with inclusive dates)					
FROM (YYYYMMDD)	TO (YYYYMMDD)	NUMBER AND STREET	CITY	STATE	COUNTRY
30. HAS INTENDED SPOUSE EVER BEEN CONVICTED OF ANY CRIMES OTHER THAN MINOR TRAFFIC VIOLATIONS: (If "YES" give full details)					

31. FATHER'S NAME (Last name, first name, middle name)		
32. PRESENT ADDRESS (Include ZIP Code)		33. LEGAL ADDRESS (Permanent address; include ZIP Code)
34. DATE OF BIRTH	35. PLACE OF BIRTH	36. CITIZENSHIP
37. MOTHER'S NAME (Last name, first name, middle name, Maiden name)		
38. PRESENT ADDRESS (Include ZIP Code)		39. LEGAL ADDRESS (Permanent address; include ZIP Code)
40. DATE OF BIRTH	41. PLACE OF BIRTH	42. CITIZENSHIP
SECTION III - REMARKS		
43. (This space is the continuation of information needed in other items where there is no enough space.)		

SECTION IV - STATEMENT OF APPLICANT (Check pertinent paragraphs)

- ☐ 1. I have read and understand USFK REG 600-240.
- ☐ 2. I ☐ am ☐ am not related to my intended spouse by blood.
(If yes, show degree of relationship) _____
- ☐ 3. I have arranged to provide for my intended spouse's dependents to make sure they do not become public charges of the United States or governmental agencies of any other country within the foreseeable future.
- ☐ 4. I understand the United States is not obligated to transport my spouse and other dependents to the United States except as provided in current U.S. Armed Forces directives.
- ☐ 5. I understand travel in connection with leave to and from the country where the marriage is to take place is my responsibility. It will be at no expense to the U.S. Government.
- ☐ 6. I have investigated the conditions which must be met for my intended spouse and other dependents who are not lawful permanent residents of the United States, to gain entry into the United States for permanent residence. I am ready to request such entry for my intended spouse and family members. I understand it is my responsibility to apply for an immediate relative or preference category visa after the marriage. I have all documents needed for completing Immigration and Naturalization Service Form I-130 (Petition to Classify Status of Alien Relative for Issuance of Immigrant Visa).
- ☐ 7. I understand verification of this application will not result in my intended spouse and other dependents being granted an immigration visa. Also, I understand, even if a visa is granted, there is no certainty that admittance to the United States will be granted at the port of entry. Further, I understand the Commissioner of Immigration and Naturalization makes the final decision on entry.
- ☐ 8. My intended spouse and other dependents have a valid passport(s) or will have them in time for processing of visa application(s).
- ☐ 9. My intended spouse and other dependents have obtained any necessary exit permit(s). (if applicable).
- ☐ 10. I will comply with the local laws and requirements of the country in which the marriage will take place.
- ☐ 11. Entrance into the United States or its territory is not contemplated by my intended spouse and other dependents for the following reasons:

- ☐ 12. If my intended spouse or I decide not to marry, prior to receipt of application verification, I will inform my commander at once so that processing of this application may be stopped.
- ☐ 13. I understand that marriage to a non-U.S. citizen may result in reduction or loss of security clearance.
- ☐ 14. A list of attachments are contained in SECTION III - Remarks

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED HEREIN IS TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE (YYYYMMDD)

GRADE

SIGNATURE OF APPLICANT

NOTICE: THE LAW PROVIDES FOR SEVERE PENALTIES WHICH INCLUDE FINE AND IMPRISONMENT FOR THE WILLFUL SUBMISSION OF ANY STATEMENT OR EVIDENCE OF A MATERIAL FACT, KNOWING IT TO BE FALSE

SECTION V - ACTION OF APPLICANT'S BATTALION / SQUADRON OR EQUIVALENT LEVEL COMMANDER		
<p>1. THE APPLICANT <input type="checkbox"/> HAS <input type="checkbox"/> HAS NOT BEEN COUNSELED BY A MILITARY CHAPLAIN.</p> <p>2. THE APPLICANT <input type="checkbox"/> HAS <input type="checkbox"/> HAS NOT BEEN BRIEFED BY A LEGAL OFFICER.</p> <p>3. THE APPLICANT <input type="checkbox"/> HAS <input type="checkbox"/> HAS NOT BEEN EXAMINED AND COUNSELED BY A MEDICAL OFFICER.</p> <p>4. THE INTENDED SPOUSE <input type="checkbox"/> HAS <input type="checkbox"/> HAS NOT BEEN EXAMINED BY A MEDICAL PROFESSIONAL.</p> <p>5. I <input type="checkbox"/> HAVE <input type="checkbox"/> HAVE NOT VERIFIED FROM THE APPLICANT'S OFFICIAL MILITARY PERSONNEL RECORDS AND FINANCE RECORDS THAT HE OR SHE IS NOT PRESENTLY MARRIED.</p> <p>6. I <input type="checkbox"/> HAVE <input type="checkbox"/> HAVE NOT DISCUSSED WITH THE APPLICANT HIS/HER FINANCIAL OBLIGATIONS IN CONNECTION WITH THE PROPOSED MARRIAGE. HE/SHE HAS SATISFIED ME THAT ADEQUATE ARRANGEMENTS HAVE OR CAN BE MADE FOR THE SUPPORT OF HIS/HER INTENDED SPOUSE.</p> <p>7. I <input type="checkbox"/> HAVE <input type="checkbox"/> HAVE NOT VERIFIED THAT THE APPLICANT SATISFIED ALL THE PRE-MARITAL REQUIREMENTS AS SPECIFIED IN USFK REG 600-240.</p>		
DATE (YYYYMMDD)	NAME AND GRADE OF BATTALION / SQUADRON OR EQUIVALENT LEVEL COMMANDER	SIGNATURE
SECTION VI - FINAL MEDICAL SUFFICIENCY REVIEW		
<p>1. THE APPLICANT <input type="checkbox"/> HAS <input type="checkbox"/> HAS NOT COMPLETED A PRE-MARITAL EXAMINATION IN ACCORDANCE WITH APPENDIX F.</p> <p>2. THE INTENDED SPOUSE <input type="checkbox"/> HAS <input type="checkbox"/> HAS NOT COMPLETED A PRE-MARITAL EXAMINATION IN ACCORDANCE WITH APPENDIX B AND F.</p> <p>3. THE APPLICANT <input type="checkbox"/> HAS <input type="checkbox"/> HAS NOT BEEN COUNSELED ON THE RISK OF MARRYING AN INTENDED SPOUSE WHO HAS CERTAIN MEDICAL CONDITIONS AS OUTLINED IN APPENDIX B.</p>		
DATE (YYYYMMDD)	NAME AND GRADE OF MEDICAL OFFICER	SIGNATURE
SECTION VII - FINAL LEGAL SUFFICIENCY REVIEW		
THIS APPLICATION <input type="checkbox"/> IS <input type="checkbox"/> IS NOT LEGALLY SUFFICIENT. REMARKS:		
DATE (YYYYMMDD)	NAME AND GRADE OF LEGAL OFFICER	SIGNATURE
SECTION VIII - VERIFICATION AUTHORITY		
I HAVE VERIFIED THAT THE APPLICANT HAS SATISFIED ALL THE PRE-MARITAL REQUIREMENTS SPECIFIED IN USFK REG 600-240.		
DATE (YYYYMMDD)	NAME AND GRADE OF COMMANDER OR APPOINTED REPRESENTATIVE	SIGNATURE

APPENDIX B

IMMIGRATION COUNSELING CERTIFICATE	DATE
STATEMENT OF APPLICANT AND INTENDED SPOUSE	
<p>In accordance with USFK Reg 600-240, the following has been explained to the undersigned:</p> <ol style="list-style-type: none"> 1. <u>WARNING:</u> The fact that a marriage takes place between an U.S. Service member and a non-U.S. citizen does not mean that the non-U.S. citizen spouse is automatically allowed to enter the United States. A visa, issued by the U.S., is required to enter the U.S. lawfully for residence. Other US agencies are responsible to determine whether a visa should be granted. 2. <u>Entry of Non-U.S. citizens:</u> A non-U.S. citizen is any person not a citizen or national of the United States. A valid unexpired immigrant visa is required for a non-U.S. citizen to be admitted to the U.S. A valid unexpired passport or other suitable travel document issued by the non-U.S. citizen's country of citizenship is also required (8 U.S.C. § 1101(a)(3) and § 1181(a)). 3. <u>Criminal Penalties:</u> The importation into the United States of any non-U.S. citizen for an immoral purpose is a crime punishable by a fine and imprisonment for not more than ten years (8 U.S.C. § 1328). 4. <u>Legal Presumption That a Marriage of Short Duration is Fraudulent:</u> A marriage entered into less than two years prior to admission of a non-U.S. citizen into the United States which is judicially annulled or terminated within two years after admission into the U.S. is presumed to be a fraudulent marriage (8 U.S.C. § 1227(a)(1)(G)). 5. <u>Persons Not Allowed Visas:</u> Unless otherwise provided by the United States Code, the following persons shall be ineligible to receive visas and shall be excluded from admission to the United States (8 U.S.C. § 1152): <ol style="list-style-type: none"> a. Non-U.S. citizens afflicted with mental illness, sexual deviation, or who are mentally retarded, insane, or have had attacks of insanity. b. Non-U.S. citizens who are narcotic addicts or alcoholics. c. Non-U.S. citizens who have tuberculosis, venereal disease, or any other dangerous contagious disease. d. Non-U.S. citizens who have any other disease or defect that may affect the person's ability to earn a living. e. Non-U.S. citizens who are paupers, vagrants, or professional beggars. f. Non-U.S. citizens convicted of a crime involving moral turpitude, such as theft, rape, assault and battery. g. Non-U.S. citizens convicted of two or more offenses. 	

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h. Non-U.S. citizens who are prostitutes, who have engaged in prostitution, or who have received in whole or in part the proceeds of prostitution.

i. Non-U.S. citizens who, in the opinion of the U.S. Consul Office or the U.S. Attorney General, are likely to become public charges.

j. Non-U.S. citizens who try to obtain or have obtained a visa by fraud or by willfully misrepresenting a material fact.

k. Non-U.S. citizens who have been convicted of a violation of narcotics or marijuana laws.

l. Non-U.S. citizens who are anarchists, opposed to organized government, advocates of violent overthrow of the government, or affiliated with the Communist Party.

6. Right to Appeal Exclusion: When the decision has been made by the U.S. Consulate not to allow a non-U.S. citizen to enter the United States, the non-U.S. citizen has the right to appeal to the U.S. Attorney General.

7. Privileges: The eligibility of dependents for military privileges is outlined in appropriate service regulations.

DATE	NAME AND GRADE OF APPLICANT	SIGNATURE
INTENDED NON-U.S. CITIZEN SPOUSE NAME, SIGNATURE, AND DATE		
LEGAL OFFICER CERTIFICATION		
I have interviewed _____ and _____ briefing both regarding the requirements and restrictions concerning the Immigration and Nationality Act, together with the other information outlined above. _____ (Signature)		
DATE	NAME AND GRADE OF LEGAL OFFICER	SIGNATURE
CF: Intended Spouse Applicant		

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APPENDIX C

BIRTH CERTIFICATE

- 1.** The birth certificate serves as the primary means of identification of the two parties to be married. It is taken as proof of U.S. citizenship of the military member and in turn, allows them to petition for issue of a non-quota immigrant visa for the non-U.S. citizen spouse.
- 2.** The Service member and intended spouse will both submit a copy of their birth certificates and those of any additional family members who will be acquired by the marriage. Birth certificates must be either original or certified copies issued by the country, state, or country, territory, or other government instrumentality maintaining those records. Certification of a true copy will have a raised seal or original signature with the imprint of a rubber seal and proper certification of the issuing authority.
- 3.** In exceptional cases where the Service member is unable to obtain his/her birth certificate, the verification authority will make a determination based on secondary evidence of citizenship about whether or not to verify the Pre-Marital Certification Application. Direct coordination between the verification authority and the American Embassy (American Citizen Service Section) is encouraged.

APPENDIX D

PARENTAL CONSENT INFORMATION

The Service member or intended spouse will submit a notarized statement of consent of the parent(s) or legal guardian(s) if either the Service member or intended spouse is under the legal age to marry without such consent as prescribed by the laws of their respective domiciles. The notarized statement will include the full name, date of birth, relationship of the person(s) granting permission, and the date the permission is granted. Under Korean law, parental consent is required of persons under the legal age of 20 years. (The Korean legal age is calculated the same as in the United States.) A Certificate of Seal for the signatures of both parents or legal guardians, dated within 90 days of the completed application, is required if either intended spouse is not yet 20 years of age.

APPENDIX E

AFFIDAVIT OF ACKNOWLEDGEMENT

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, U.S.C. 3013, 5013, 8013

PRINCIPAL PURPOSE: To ensure that the service member has the necessary information to make an informed decision before entering into an international marriage and comply with U.S. and host nation law.

ROUTINE USES: Information will be used for ensuring the service member has all the information necessary to make an informed decision and is complying with U.S and host nation law.

DISCLOSURE: Disclosure of information is voluntary; failure to give this information may result in **delay in satisfying the requirements of USFK REG 600-240 prior to marriage.**

I, _____ DO HEREBY ACKNOWLEDGE THAT I AM AWARE THAT ENTRY INTO A MARRIAGE WITH A NON-U.S. CITIZEN FOR THE PURPOSE OF CONFERRING IMMIGRATION ELIGIBILITY AND CIRCUMVENTING THE LAWS OF THE UNITED STATES MAY SUBJECT ME TO PROSECUTION FOR VIOLATING TITLE 18 U.S.C. 1001 (FALSE STATEMENTS), 8 U.S.C. 1324 (BRINGING IN NON-U.S. CITIZENS), AND/OR 18 U.S.C. 1621 (PERJURY) AND MAY RESULT IN A FELONY CONVICTION WHICH IS PUNISHABLE BY FINE AND/OR IMPRISONMENT. I AM ALSO AWARE THAT IF I MARRY LESS THAN TWO YEARS BEFORE MY SPOUSE ENTERS THE U.S., AND THE MARRIAGE ENDS IN DIVORCE OR ANNULMENT WITHIN TWO YEARS AFTER THAT, I MAY BE PRESUMED TO HAVE COMMITTED IMMIGRATION FRAUD AND BE SUBJECTED TO CRIMINAL INVESTIGATION AND PROSECUTION. I AM ALSO AWARE THAT I MAY BE SUBJECTED TO CRIMINAL INVESTIGATION AND PROSECUTION BASED ON ANY OTHER EVIDENCE OF IMMIGRATION FRAUD, INCLUDING BUT NOT LIMITED TO, FAILURE TO COHABITATE AS HUSBAND AND WIFE. ALSO, I ACKNOWLEDGE THE POSSIBILITY OF INVOLUNTARY EXTENSION IN KOREA TO FULFILL THE ADMINISTRATIVE REQUIREMENTS OF USFK REGULATION 600-240.

NAME	RANK	SSN
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Sworn before me this _____ day of _____ in the year _____ at _____, Korea.		
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BATTALION / SQUADRON OR EQUIVALENT LEVEL COMMANDER NAME	TITLE
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APPENDIX F

MEDICAL EXAMINATION INSTRUCTIONS

Medical Examination. A medical examination is required for Service member and intended spouse. The primary purpose of the medical examination is to detect any medical conditions that would prohibit the intended spouse from entry into the United States. Procedures for obtaining the required examinations are as follows:

a. The Service member will take a pre-marriage medical examination to include serology testing for Human Immunodeficiency Virus (HIV) infection, Syphilis, and Hepatitis B (HBsAg and HBcAb); and a tuberculin skin test to detect for tuberculosis. Results will be recorded on SF Form 88, Report of Medical Examination (contact a Military Medical Treatment Facility (MTF) for the form).

(1) If a Service member's serological test and/or tuberculin skin test is positive, the servicing MTF will ensure the Service member is placed on the appropriate treatment regimen to conclusively manage the communicable disease.

(2) Upon satisfactory completion of the necessary tests or successful completion of the appropriate medical treatment regimen to address the disease of the affected Service member, the servicing MTF's medical officer will provide an endorsement statement indicating the Service member is free from any detectable communicable disease.

b. The intended spouse must arrange for and take a combined pre-marital and visa medical examination at a designated medical facility sanctioned by the Embassy of the United States, Seoul, South Korea. It is the responsibility of the Service member and the intended spouse to schedule the medical examination directly with one of these hospitals and authorize the release of the medical examination results to the appropriate USFK Military Medical Treatment Facility. For the current list of designated medical facilities sanctioned by the Embassy of the United States, visit this website: http://seoul.usembassy.gov/medical_requirements2.html and click on the **A list of authorized physicians in Korea** link. As of the publishing date of this regulation, the following medical facilities are sanctioned:

(1) Saint Mary's Hospital; telephone 02-3779-1521; 62, Yeouido-Dong, Youngdeungpo-Ku, Seoul

(2) Seoul Adventist Hospital; telephone 02-2210-3511; 29-1, Hwikyoung-Dong, Dongdaemun-Ku, Seoul

(3) Yonsei Severance Hospital; telephone 02-2228-5808/9; 134 Shinchon-Dong, Seodaemun-Ku, Seoul

(4) Maryknoll Hospital; telephone 051-461-2290; 12, 4-Ga, Daechung-Dong, Jung-Ku, Pusan

(5) Wallace Memorial Baptist Hospital; telephone 051-580-1313; 374-75
Nansan-Dong, Keumjeong-Ku, Pusan

c. The pre-marital medical examination performed by a designated medical facility helps determine the suitability of the intended spouse in obtaining an immigrant visa for travel to the United States and helps identify and preclude the creation of U.S. military medical beneficiaries who are not eligible for immigration to the United States. The Service member and intended spouse will provide copies of the medical examination results, in a sealed envelope, to an U.S. Forces Medical Officer at an USFK Military Medical Treatment Facility.

d. Although the pre-marital examination is given to determine the potential for suitability and entry into the United States, it does not guarantee final medical acceptance or approval for awarding of a visa or entry into the United States. The Service member and intended spouse must follow the appropriate visa application procedures with the Embassy of the United States, Seoul, South Korea to obtain a visa and gain entry approval into the United States.

e. The U.S. Forces Medical Officer will:

(1) Review the intended spouse's medical examination from the designated medical facility to assess probable qualification according to U.S. Public Health guidelines (<http://www.cdc.gov/ncidod/dq/health.htm>) and immigration laws for entry into the United States.

(2) Endorse the Service member's application indicating the intended spouse has completed a visa medical examination at a designated medical facility sanctioned by the Embassy of the United States, Seoul, South Korea.

(3) Endorse the Service member's application indicating the Service Member has completed a pre-marital medical examination.

(4) Ensure all cases of detected communicable diseases are referred to a medical treatment facility for medical care and treatment, and followed by the appropriate military and/or civilian public health system for epidemiological contact investigation and management.

(5) Ensure patient privacy and confidentiality are safeguarded IAW all applicable laws and policies.

APPENDIX G

REPORT AND CERTIFICATE OF MARRIAGE			
BRIDEGROOM Name in full: <i>(first-middle-last)</i>		BRIDE Name in full: <i>(first-middle-last)</i>	
Father's name:		Father's name:	
Mother's full maiden name:		Mother's full maiden name:	
Permanent address: <i>(on Family Census Register or in the U.S.)</i>		Permanent address: <i>(on Family Census Register or in the U.S.)</i>	
Present address:		Present address:	
Date and Place of birth:		Date and Place of birth:	
Occupation:		Occupation:	
Citizenship proven by:		Citizenship proven by:	
Previously married to:		Previously married to:	
If terminated by death, date:		If terminated by death, date:	
If terminated by divorce, Court: Case No.: Decree date: Date divorce final:		If terminated by divorce, Court: Case No.: Decree date: Date divorce final:	
Signature of Bridegroom		Signature of Bride	
Witness	<i>Consular Section U.S. Embassy Seoul, Korea</i>	Witness	<i>Consular Section U.S. Embassy Seoul, Korea</i>
The Mayor of		Seoul, Korea, hereby accepts notification of this marriage	
		The Mayor of	
		Seoul, Korea	
Republic of Korea) Special City of Seoul) s.s. Embassy of the United States of America)			
I, _____, Vice Consul of the United States of America at Seoul, Korea, duly commissioned and qualified, do hereby certify that _____, whose true signature and official seal are respectively subscribed and affixed hereto was on the date _____, the date thereof, Mayor of _____ Seoul, Korea, to whose official acts, faith and credit are due. For the contents of this document, I assume no responsibility.			
In witness whereof, I have hereunto set my hand and affixed the seal of the Embassy of the United States of America at Seoul on this date _____.			
		_____ Vice Consul of the United States of America at Seoul, Korea	

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APPENDIX H

<u>AFFIDAVIT OF ELIGIBILITY FOR MARRIAGE</u> THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA AMERICAN EMBASSY, SEOUL, KOREA	
BRIDEGROOM Name in full: <i>(first-middle-last)</i>	BRIDE Name in full: <i>(first-middle-last)</i>
Father's name:	Father's name:
Mother's full maiden name:	Mother's full maiden name:
Permanent address: <i>(on Family Census Register or in the U.S.)</i>	Permanent address: <i>(on Family Census Register or in the U.S.)</i>
Present address:	Present address:
Date and Place of birth:	Date and Place of birth:
Occupation:	Occupation:
Citizenship proven by:	Citizenship proven by:
Number of children with spouse of this marriage:	
Number of children prior to this marriage:	
Previously married to:	
If terminated by death, date:	If terminated by death, date:
If terminated by divorce, Court: Case No.: Decree date: Date divorce final:	If terminated by divorce, Court: Case No.: Decree date: Date divorce final:
<div style="display: flex; justify-content: space-between;"> <div> Republic of Korea) Special City of Seoul) Embassy of the United States of America) </div> <div style="text-align: center;">s.s.</div> </div> <p style="margin-top: 20px;">I(We), the above named American Citizen(s), being duly sworn, I(we) depose and say: that I am(we are) of marriageable age and the consent of neither parents nor guardian is required, or if required given; that we are not blood kin to the other in any degree; that I am (we are) not now married, that there is not hindrance, legal or otherwise, to this marriage and that all facts concerning me(us) set forth upon this document are true, correct and complete.</p>	
_____ Signature of Bridegroom, <i>only if American Citizen.</i>	_____ Signature of Bride, <i>only if American Citizen.</i>
Subscribed and sworn to before me, on this date _____ at Seoul, Korea. The U.S. Embassy has no information concerning the affiant's marital status.	
_____ Vice Consul of the United States of America at Seoul, Korea	

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APPENDIX I

COMMANDER'S GUIDE TO PRE-MARITAL COUNSELING

1. WHY COUNSELING? "If I were a commander in the continental United States (CONUS), I would not be providing counseling for service members intending to marry. Why in the ROK?" A fair question. It is because we are outside the CONUS that counseling is necessary. Past experiences reveal potential marriage pitfalls that may be avoided with cross-cultural awareness, education, and counseling. In addition, there are security concerns in an overseas environment when Service members have contact with individuals from other countries, especially those countries identified on the Designated Country Personnel (DCP) list and countries of counterintelligence concerns. Thus, Service members intending to marry a non-U.S. citizen must consider security implications that will impact USFK and potentially their security clearances.

a. Each month, a small number of U.S. Service members marry non-U.S. citizens. Cultural differences and family ties have shown that many of those marriages experience an abnormally high divorce rate, with many marriages ending within two years after return to the U.S. Service members who enjoy a compatible marriage will be productive and lose less time from duty due to personal problems. Personal problems often carry over to the job. A commander can be faced with absenteeism, inefficiency, absence without leave, and behavioral problems when dysfunction occurs in the individual's marriage. Additionally, unhappy marriages can lead to domestic violence, suicidal acts, financial problems, and psychological/sociological dysfunction. All of these are nonproductive in the relationship of the Service member to the military. In CONUS, individuals contemplating marriage may have an extensive courtship and discuss marriage plans with family and friends. Acceptance or rejection of the intended spouse by relatives and peers may influence whether or not the marriage occurs. This situation changes when support systems are limited or restricted by distance.

b. The commander in the ROK assumes the roles of family and friends "back home." Counseling is not a red light saying "stop", but is a process for looking and listening before determining whether or not to proceed with the final decision to marry. The commander should foster an awareness of the pros and cons of intercultural marriages.

c. Pre-Marital counseling can be a sensitive subject for both the commander and the couple. The technique used by the commander is important. The following guidance should prove beneficial:

(1) Arrange the office to provide an atmosphere of comfort, warmth, and informality.

(2) Be friendly, personable, and relaxed. Get out from behind the desk.

- (3) Do something to put the couple at ease such as serving coffee or soft drinks.
- (4) Show a keen interest in the individuals. Each case is unique.
- (5) Guide the couple toward planning ahead and making objective decisions.
- (6) Find out what each person considers important. Discuss attitudes, feelings, and future plans.
- (7) Help the couple to objectively evaluate the situation and gain perspective.
- (8) Ask about the steps they have already taken to reduce potential marital problems. Help them understand the dynamics of a long-term commitment.
- (9) Expect to meet situations that you may not personally condone. However, never assume the responsibilities of decision-making, moralizing, preaching, or judging.
- (10) Mention sources of printed material that might be helpful.
- (11) Provide names of people or agencies available to assist them, and arrange for referrals.
- (12) Watch for signs of disappointment or discontent that may indicate problems in the couple's relationship or indicate that the counseling session is embarrassing them.
- (13) Review the discussion and encourage the couple to summarize the session.
- (14) Take time to make notes of the session for follow-up.
- (15) Withhold information and opinions about the session.

e. Effective counseling can be accomplished only with good communication. In some cases, couples may be reluctant to discuss differences unless a third party mentions them. The couple should be allowed to fully evaluate their relationship and their future by recognizing the complexity of the intercultural marriage.

f. The counseling should be divided into a minimum of two sessions separated by at least 48 hours. The commander should fully explain what constitutes visa fraud during the first session. During the second session, the military member will be required to sign a statement that he or she understands what constitutes visa fraud

and the penalties. The intended spouse should attend the first session. Only the military member should attend the second session.

2. UNDERSTANDING AND ACCEPTING CULTURAL DIFFERENCES.

a. Gaining understanding of each other's culture can do much to improve a relationship between USFK Service members and their intended spouses. Ignorance or disregard of cultural differences can cause friction.

b. Couples about to marry should know that differences in culture will always be present in their relationship and that they should recognize the differences and show respect and understanding of each other's heritage.

c. Religion is a primary dynamic in any relationship because it determines how an individual identifies himself or herself, assigns values to human life, views the world, interprets history, and defines good and bad behavior, etc. Religion becomes an even greater force in marriage once the issue of how to properly raise children occurs. Service members and their intended spouses are encouraged to seek pre-marital counseling from their unit Chaplain to identify religious values, practices, and traditions that will either serve as a source of strength for the marriage or a source of conflict.

3. WHAT IS VISA FRAUD?

a. Love, security, and material gain may be on a list of reasons to marry. Unfortunately, some individuals marry for improper reasons. Here in the ROK, marriage is sometimes used as a vehicle for escape to the safety of a distant land or for other reasons. Marriage can offer a simple and convenient method of securing certain privileges for non-U.S. citizens who marry U.S. Service members. For example, marriage can overcome U.S. immigration prohibitions. Entry into the U.S. is gained for the non-U.S. citizen spouse and the extended family who might find immigration difficult under normal circumstances. Although this type of marriage is infrequent, the situation still exists.

b. Visa fraud in the ROK is more than just a marriage of convenience for the purpose of evading U.S. immigration law; it can also involve prostitution, narcotics, contraband smuggling, bribery, and forgery. It is big business both in the ROK and the U.S. and contributes to organized criminal activities in both societies. Visa fraud is not a victimless crime. Frequently, one of the partners in a marriage is defrauded of substantial amounts of money.

c. Most Service member and non-U.S. citizen spouse marriages are not based on visa fraud; however, reports received from the Department of Homeland Security, U.S. military, and civilian law enforcement agencies in the U.S., indicate that it is a known problem. The U.S. Embassy in Seoul has been able to identify several general types of visa fraud schemes now being perpetrated in the ROK. Although

the roots of the schemes lie in the ROK, they do not stop here. The scheme continues in the U.S. where organized rings may arrange the fraudulent entry of large numbers of non-U.S. citizens into the U.S. These rings usually serve two distinct, although frequently overlapping functions; they supply prostitutes for clubs and massage parlors throughout the U.S. In addition, these prostitutes are reportedly used to smuggle narcotics and other contraband into the U.S. and arrange for entire families who are excludable from the U.S. to receive immigrant visas. These rings revolve around marriage agencies and visa assistants. Many have offices in the vicinity of U.S. military facilities in Korea; others are within walking distance of the U.S. Embassy in Seoul. The individuals running these agencies are extremely knowledgeable and sophisticated. Visa applicants are briefed prior to their interview and later debriefed. Personality profiles are developed on individual consular officers, and visa refusals are monitored for new trends. The agencies are quick to adapt to any new methods that are established to prevent fraud. A good example is the Embassy's traditional practice of requiring correspondence to indicate a continuing relationship between separated spouses. Marriage agencies now provide a full range of translation services for all correspondence in Korean and English, they may provide the same type of service if the citizen is not a Korean national but still is listed as a non-U.S. citizen. They are also capable of fabricating all such correspondence. In cases where the applicant is illiterate, the agencies read and write all letters. In addition, these agencies are quite aware of the power of a congressional inquiry and are well versed in how to initiate one. In several dubious cases, the agents have advised American spouses to return to the ROK to convince the consular officer to issue the visa in question. These agencies have indiscriminately franchised their authority and official identity stamps to other organizations. The result has been a mixture of misleading stamps (for example, a Daegu stamp on documents prepared in Seoul) and a lack of accountability.

d. Several factors complicate the identification of specific cases of visa fraud and the exclusion of these individuals from the U.S. First, the most difficult cases are those where only one spouse is a party to the fraud and the other is a victim of the scheme. Those cases where the Service member is being victimized are particularly controversial as he/she is usually unwilling or unable to accept the possibility of having been duped. Second, although in most cases involving the American military, the parties have lived together, this does not in itself indicate the intent to continue the marriage in the U.S. Many such marriages are business arrangements with financial benefits and special privileges accruing to both partners. Third, although prostitution is illegal in the ROK, it is unofficially condoned. There is no public licensing system for prostitutes and private records are not available. Not all prostitutes are employed by the clubs they frequently visit. The transient nature of the population around U.S. military bases also hinders investigations.

4. DANGERS IN MARRYING DCP. Commanders can contact the Counterintelligence Staff Office (FKJ2-CIOC-CJ2X), APO AP 96204-3026, DSN 723-3076/5533, regarding any questions or updates concerning the list of Designated Countries Personnel.

a. Service members should be advised that dating or marrying a DCP could result in his/her security clearance being temporarily suspended or worse, he/she could lose it permanently if the command determines there is a potential security risk.

b. Also, after the Service member marries a DCP, the spouse may not be granted access to base facilities. The Service member is required to submit a request for an exception to policy for full-time access for the spouse and dependents. Requesting the exception does not mean the exception will be granted.

5. WHEN THE HONEYMOON IS OVER—WHAT'S NEXT? Preparing for return to CONUS is highlighted by the realization that the non-U.S. citizen spouse faces possibly the two greatest adjustments a person can make -- adjusting to a new language and culture, as well as to a marriage partner. Each couple should realize the challenges and start the adjustment process long before arrival in the CONUS.

Glossary

Section I Acronyms

DCP	Designated Countries Personnel
HIV	Human Immunodeficiency Virus
IAW	In Accordance With
MTF	Medical Treatment Facility
NAC	National Agency Check
ROK	Republic of Korea
SCI	Sensitive Compartmented Information
U.S.	United States (of America)
USFK	United States Forces, Korea

Section II Terms

Alien/Non-U.S. citizen. Any person not a citizen or a national of the U.S.

Applicant. Any active duty member of the Armed Forces applying for pre-marital certification of compliance with this regulation.

Verification Authority

- a. Army - Commander, 8th US Army.
- b. Air Force - Commander, 7th Air Force.
- c. Navy - Commander, U.S. Naval Forces Korea.
- d. U.S. Marine Corps - Commander, U.S. Marine Corps Forces, Korea.

Intended Spouse. A person whom the Service member plans to marry.

Supporting Legal Office. The legal office that provides legal support to the verification authority.